

REMARKS

In accordance with the foregoing, the specification, FIG. 11, and claims 1, 2, 4-6, 32, and 34 have been amended, and new claims 35-40 have been added. Claims 1-6, 32, and 34-40 are pending, with claims 1, 32, 34, and 40 being independent. No new matter is presented in this Amendment. No additional claim fee is required to add new claims 35-40 because the claims as amended by this Amendment include 14 total claims and 4 independent claims, and the applicants paid for 33 total claims and 6 independent claims when the present application was filed on February 23, 2004.

The Office Action of January 12, 2011, Is a Non-Final Office Action

Item (2)(a) on page 1 (the Office Action Summary) of the Office Action of January 12, 2011, indicates that the Office Action is a Final Office Action. However, the "Conclusion" section on page 8 of the Office Action does not contain any of the standard language regarding a Final Office Action, and the USPTO's computer records for the application indicate that the Office Action is a Non-Final Office Action. Also, the Office Action contains a new ground of rejection of claim 34 under 35 USC 101 as being directed to nonstatutory subject matter. Since claim 34 was not amended in the Request for Reconsideration of October 27, 2010, the Office Action cannot properly be a Final Office Action. On January 12, 2011, during a telephone discussion between the Examiner and a representative of the law firm indicated below, the Examiner confirmed that the Office Action is in fact a Non-Final Office Action.

Interview Summary for Interview of October 21, 2008

A personal interview was conducted on October 21, 2008, between the Examiner, Oluwaseun A. Adegeye; one of the applicants' previous attorneys, Gregory Clinton; one of the inventors, Kil-soo Jung; and a representative of the assignee, Young-ok Hyung. The applicants filed a statement of substance for the interview on December 2, 2008, which is in the image file wrapper of the present application.

At the conclusion of the interview of October 21, 2008, the Examiner gave the attorney an unofficial copy of the Interview Summary for the interview. However, the Office never mailed

an official copy of the Interview Summary to the applicants, and never placed an official copy of the Interview Summary in the image file wrapper of the present application. On March 4, 2011, the undersigned attorney, Randall S. Svihla, called the Examiner and brought this to the Examiner's attention. The Examiner checked his files but was unable to find the Interview Summary for the interview of October 21, 2008. The Examiner stated that he would discuss this matter with his supervisor to see what he should do, but he never called the attorney back.

Accordingly, to complete the record, attached hereto is a copy of the Interview Summary for the interview of October 21, 2008, that the Examiner gave to the previous attorney at the conclusion of the interview of October 21, 2008. It is respectfully requested that the Office place a copy of this Interview Summary in the image file wrapper of the present application with a document code of "EXIN" and a document description of "Examiner Interview Summary Record (PTOL - 413)" with an indication in the transaction history that the interview was conducted on October 21, 2008.

Information Disclosure Statement

Attached hereto is an Information Disclosure Statement listing the following references:

US 2002/0164152

US 2003/0138238

US 2003/0223735

Canadian Office Action issued on June 1, 2009, in counterpart
Canadian Application No. 2,483,582 (3 pages).

Japanese Office Action issued on March 9, 2010, in counterpart
Japanese Application No. 2006-502714 (2 pages, in Japanese, no
English translation).

US 2002/0164152 and US 2003/0138238 were cited by the Office in the Office Action of November 26, 2010, issued in Application No. 10/937,502, which is a continuation of the present application. US 2003/0223735 was cited by the Office in the Office Action of December 24, 2008, issued in continuation Application No. 10/937,502. Since 37 CFR 1.97 and 1.98 and MPEP 609 do not provide a specific procedure for an applicant to cite in a parent application references cited by the Office in a continuation application, it is submitted that neither a

statement under 37 CFR 1.97(c) nor the fee of \$180.00 set forth in 37 CFR 1.17(p) is required to cite these references in the Information Disclosure Statement attached hereto.

The Canadian Office Action was cited in the Information Disclosure Statement of September 1, 2009, filed in the present application, which was considered in the Final Office Action of January 29, 2010, and the Office Action of July 27, 2010. However, there were errors in the listing of this reference in that Information Disclosure Statement, so a corrected listing of this reference has been provided in the Information Disclosure Statement attached hereto. Since this reference has already been considered by the Office, it is submitted that neither a statement under 37 CFR 1.97(c) nor the fee of \$180.00 set forth in 37 CFR 1.17(p) is required to provide the corrected listing of this reference in the Information Disclosure Statement attached hereto.

The Japanese Office Action was cited in the Information Disclosure Statement of May 27, 2010, filed in the present application, which was considered in the Office Action of July 27, 2010. However, there were errors in the listing of this reference in that Information Disclosure Statement, so a corrected listing of this reference has been provided in the Information Disclosure Statement attached hereto. Since this reference has already been considered by the Office, it is submitted that neither a statement under 37 CFR 1.97(c) nor the fee of \$180.00 set forth in 37 CFR 1.17(p) is required to provide the corrected listing of this reference in the Information Disclosure Statement attached hereto.

It is respectfully requested that the Office provide the following items with the next Office Action:

- (1) a copy of the Information Disclosure Statement attached hereto marked to indicate that all of the references have been considered;
- (2) a copy of the Information Disclosure Statement of September 1, 2009, with a line drawn through the erroneous listing of the Canadian Office Action to prevent this erroneous listing from being used in printing the "References Cited" section of any patent that may issue from the present application, and marked to indicate that the other reference has been considered; and
- (3) a copy of the Information Disclosure Statement of May 27, 2010, with a line drawn through the erroneous listing of the Japanese Office Action to prevent this erroneous listing from being used in printing the "References Cited" section of any patent

that may issue from the present application, and marked to indicate that all of the other references have been considered.

Drawing Amendments

FIG. 11 has been amended to change "POSTION 1", "POSTION 2", and POSTION 3" to "POSITION 1", "POSITION 2", and POSITION 3", respectively, at the bottom of the figure.

Claim Rejections Under 35 USC 101

Claim 34 has been rejected under 35 USC 101 as being directed to nonstatutory subject matter. This rejection is respectfully traversed.

The Office's position is that claim 34, which recites "[a]n information storage medium," and the specification "fail to disclose whether said 'information storage medium' is limited to a non-transitory medium or transitory propagating signal." The Office states that "[r]eading said claim under the broadest reasonable interpretation 'information storage medium' is considered to read on a transitory propagating signal," relying on *Subject Matter Eligibility of Computer Readable Media*, 1351 OG 212, February 23, 2010. Accordingly, the Office takes the position that claim 34 is directed to a signal *per se*, which is not a process, machine, manufacture, or composition of matter, and is therefore not directed to statutory subject matter pursuant to MPEP 2106.

In explaining the rejection, the Examiner quotes the following sentence from paragraph [0082] of the specification:

The computer-readable recording medium includes all kinds of recording devices on which data can be written in a computer-readable manner, such as a ROM, a RAM, a CD-ROM, a magnetic tape, a floppy disk, an optical data storage, and a carrier wave (e.g., data transmission through the Internet).

However, this sentence was amended as follows on page 2 of the Amendment After Final Rejection of March 6, 2008:

The computer-readable recording medium includes all kinds of recording devices on which data can be written in a computer-readable manner, such as a ROM, a RAM, a CD-ROM, a

magnetic tape, a floppy disk, or an optical data storage, and a carrier wave (e.g., data transmission through the Internet).

Thus, the rejection of claim 34 under 35 USC 101 is based on an outdated version of the above sentence. However, the point is moot because the above sentence as it appears on page 2 of the Amendment After Final Rejection of March 6, 2008, has been amended as follows in the present Amendment to return it to its original form as originally filed on February 23, 2004:

The computer-readable recording medium includes all kinds of recording devices on which data can be written in a computer-readable manner, such as a ROM, a RAM, a CD-ROM, a magnetic tape, a floppy disk, or an optical data storage, and a carrier wave (e.g., data transmission through the Internet).

It is submitted that this amendment of the above sentence made in the present Amendment does not introduce new matter into the disclosure of the present application because it merely restores the above sentence to its original form as originally filed on February 23, 2004.

Furthermore, *Subject Matter Eligibility of Computer Readable Media*, 1351 OG 212, February 23, 2010, relied by the Office states as follows:

A claim drawn to such a computer readable medium that covers both transitory and non-transitory embodiments may be amended to narrow the claim to cover only statutory embodiments to avoid a rejection under 35 U.S.C. § 101 by adding the limitation "non-transitory" to the claim.

Accordingly, claim 34 has been amended to recite "[a] non-transitory information storage medium" as suggested by the above OG notice to overcome the rejection of claim 34 under 35 USC 101.

For at least the foregoing reasons, it is respectfully requested that the rejection of claim 34 under 35 USC 101 as being directed to nonstatutory subject matter be withdrawn.

Claim Rejections Under 35 USC 103

Claims 1-6, 32, and 34 have been rejected under 35 USC 103(a) as being unpatentable over Nonomura et al. (Nonomura) (US 2003/0108338) in view of Baldwin et al. (Baldwin) (US 6,975,363) and Kumar et al. (Kumar) (US 6,230,162). This rejection is respectfully traversed.

Claim 1

It is submitted that Nonomura, Baldwin, and Kumar do not disclose or suggest the following features now recited in independent claim 1:

a mainstream system time clock counter configured to provide a system time clock sequence that is used for decoding the mainstream packet data by the mainstream decoder; and

a sub-audio system time clock counter configured to provide a system time clock sequence that is used for decoding the sub-audio packet data by the sub-audio decoder and is independent of the system time clock sequence of the mainstream system time clock counter.

The Office states that "Nonomura does not disclose two different STC counters," but considers this feature to be taught by Baldwin, stating as follows:

Baldwin discloses two independent and separate clocks (see fig. 3 and column 6, lines 27 – 36 and column 3, lines 4 - 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used two independent and separate clocks taught [*sic*] by Baldwin to [*sic*] the apparatus of Nonomura to provide a system for allowing more flexible control of the video and audio presentation speeds (see column 2, lines 47-49).

However, it is submitted that Baldwin provides the "two independent and separate clocks" referred to by the Office to "allow[] more flexible control of the video and audio presentation speeds" when the audio is unrelated to the video. See, for example, column 2, line 53, through column 3, line 3, of Baldwin, which states as follows:

Methods and systems are disclosed in which the presentation speed of the digital video frames is controlled separate from the presentation speed of the digital audio samples. Independent control of the presentation speeds of the digital video frames and digital audio samples may be beneficial when the video is being provided from one program source and the audio is provided from another program source. For example, a viewer might watch a football game, but instead of listening to the accompanying football commentary, the viewer may listen to the local news. In addition, the viewer may listen to broadcasts having different sampling rates that a television broadcast such

as, for example, music broadcasted from a compact disc source. Thus, a viewer may watch a football game while listening to music rather than football commentary. By separately controlling the presentation speed of the digital video frames and digital audio samples, the video and audio presentation remains high quality even if presented from different programs or sources.

Also, see column 3, line 58, through column 4, line 9, of Baldwin, which states as follows:

Methods and systems are described for independently controlling the presentation speeds of video frames and audio samples. For example, in an screen-in-screen display, there may be a smaller video frame showing one television channel displayed within a larger frame showing another television channel. Such screen-in-screen displays thus allow viewers to visually monitor more than one channel at a time. However, the sound for only one of these channels will be sounded. If the audio and video relate to the same channel, then the audio and video may be presented together. However, in the screen-in-screen display, one of the video frames relates to a different channel than the sounded audio. In addition, a viewer may desire to view a television program, but instead of listening to the accompanying audio, may listen to a compact disk through the television speakers. The present invention allows for the independent presentation speed control of this unrelated video and audio thus allowing the video and audio to synchronize properly to their respective channels.

The Office is of the opinion that it would have been obvious to incorporate the "two independent and separate clocks" taught by Baldwin into Nonomura's apparatus "to provide a system for allowing more flexible control of the video and audio presentation speeds." However, as admitted by the Office, Nonomura's apparatus is a DVD player (see paragraph [0230] of Nonomura). It is submitted that a DVD player does not have the capability of playing back unrelated video and audio. In fact, on page 4 of the Office Action of January 12, 2011, the Office specifically states that "Nonomura discloses . . . a pickup configured to read mainstream packet data and sub-audio packet data corresponding to the mainstream packet data from the optical disc."

Accordingly, since Baldwin discloses that the "two independent and separate clocks" allow for the independent presentation speed control of unrelated audio and video, and Nonomura's DVD player is not capable of playing back unrelated video and audio, it is

submitted that there would have been no reason for one of ordinary skill in the art to have incorporated the "two independent and separate clocks" taught by Baldwin into Nonomura's DVD player as proposed by the Office. Rather, it is submitted that the only suggestion that this be done is contained in the applicants' disclosure. Accordingly, it is submitted that it is readily apparent that the combination of Nonomura and Baldwin proposed by the Office is based solely on an impermissible hindsight reconstruction of the invention based on knowledge gleaned only from the applicants' disclosure, which is prohibited by MPEP 2145(X)(A) (see MPEP page 2100-167).

Furthermore, it is submitted that Nonomura, Baldwin, and Kumar do not disclose or suggest the following feature now recited in claim 1:

the sub-audio system time clock counter continuously increases even if a user inputs a reverse play command, and even if the user inputs a forward play command.

The Office admits that Nonomura and Baldwin do not disclose the similar feature "the sub-audio system time clock counter continuously increases even if a user inputs a reverse play or forward play command" recited in claim 1 as it was considered in the Office Action of January 12, 2011, but considers this feature to be taught by Kumar, stating as follows:

Kumar discloses that the sub-audio time clock counter continuously increases even if a user inputs a reverse play or forward play command (see column 6, lines 58 – 62. First of all, the claim recites the "or" limitation and that means that one of the cited references just has to cover either the sub-audio system time clock counter continuously increases even if a user inputs a reverse play command or the sub-audio time clock counter continuously increases even if a user inputs a the [sic] forward play command. The second part where the sub-audio system time clock counter continuously increases even if a user inputs a the [sic] forward play command is well known in the art where a user pushes the fast forward button while watching a movie and both the audio and the video of the movie get fast-forwarded.).

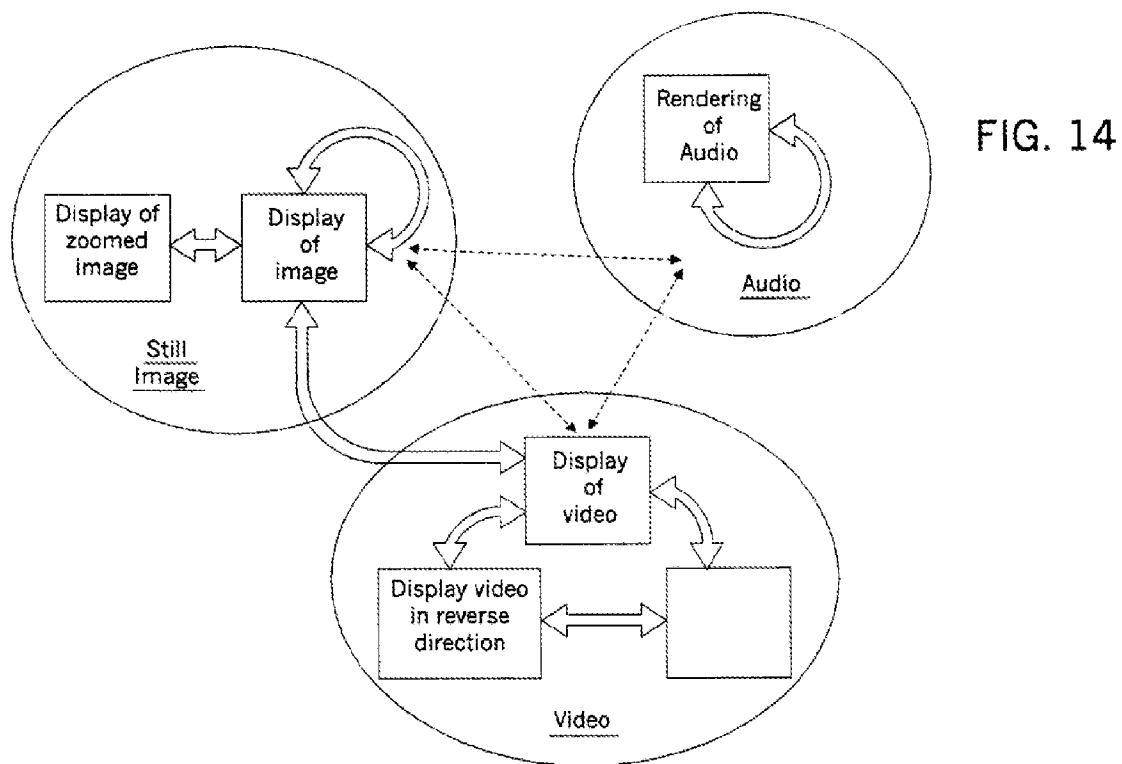
First of all, the Office has not provided any evidence to support its position that "[t]he second part where the sub-audio system time clock counter continuously increases even if a user inputs a the [sic] forward play command is well known in the art where a user pushes the fast forward button while watching a movie and both the audio and the video of the movie get

fast-forwarded." Accordingly, it is respectfully requested that the Office cite a reference to support its position should the rejection be maintained.

Furthermore, column 6, lines 58-62, of Kumar is part of the description of FIG. 14 of Kumar in column 6, lines 55-62, of Kumar, which states as follows:

FIG. 14 represents options available to the user when all data has been fully loaded into his machine. The user can choose between the animation display 1402 and a full motion video display 1404. Within each display type, the use can display the work in the forward or reverse direction 1406, and may zoom in on sections of the item displayed 1408. He also has control of the audio 1410 independently of the video displays and may alter the audio to his needs.

FIG. 14 of Kumar is reproduced below:



However, none of the reference numerals 1402, 1404, 1406, 1408, and 1410 in the above description of FIG. 14 appear in FIG. 14, such that it is unclear exactly how the description relates to FIG. 14. Furthermore, the description of FIG. 14 merely states that "the

use [*sic*] can display the work in the forward or reverse direction 1406, and may zoom in on sections of the item displayed 1408," and that "[h]e also has control of the audio 1410 independently of the video displays and may alter the audio to his needs." It is not seen how Kumar's FIG. 14 and its description can reasonably be considered to disclose the feature "the sub-audio system time clock counter continuously increases even if a user inputs a reverse play or forward play command" recited in claim 1 as it was considered in the Office Action of January 12, 2011, particularly since the words "clock" and "counter" do not appear in Kumar, and the word "time" appears only in the sentence "[a]ctual delivery of each segment however, may take place only at the time of need as determined by the communication between server side engine 506 and client terminal 504, dynamically during the presentation" in column 4, line 67, through column 5, line 4, of Kumar and in the sentence "[t]he general information segment describes the aspects like total size and time length" in column 5, lines 11 and 12, of Kumar.

Arguments similar to the above arguments were also presented on pages 2-4 of the Request for Reconsideration of October 27, 2010, but the Office did not take note of these arguments and answer the substance of them in the Office Action of January 12, 2011, as required by MPEP 707.07(f).

Furthermore, it is submitted that Kumar does not disclose or suggest the feature "the sub-audio system time clock counter continuously increases even if a user inputs a reverse play command, and even if the user inputs a forward play command" now recited in claim 1 because claim 1 now recites the "and" limitation, which means that claim 1 recites both "the sub-audio system time clock counter continuously increases even if a user inputs a reverse play command" and "the sub-audio system time clock counter continuously increases even if the user inputs a forward play command." Furthermore, it is submitted that Nonomura and Baldwin do not disclose or suggest this feature, as apparently admitted by the Office.

Furthermore, Nonomura is directed to a DVD player playing back video and related audio from a DVD, Baldwin is directed to viewing television broadcasts while listening to unrelated audio, and Kumar is directed to downloading data providing interactive video and related audio descriptions of merchandise over a network and playing back the video and related audio descriptions. It is submitted that Kumar is directed to a completely different area of technology than Nonomura and Baldwin, and that nothing whatsoever would have motivated one of ordinary skill in the art to look to Kumar for possible improvements to made to Nonomura

and Baldwin. Rather, it is submitted that the only suggestion to look to Kumar is contained in the applicants' disclosure. Accordingly, it is submitted that it is readily apparent that the combination of Nonomura, Baldwin, and Kumar proposed by the Office is based solely on an impermissible hindsight reconstruction of the invention based on knowledge gleaned only from the applicants' disclosure, which is prohibited by MPEP 2145(X)(A) (see MPEP page 2100-167).

Arguments similar to the above arguments were also presented on page 4 of the Request for Reconsideration of October 27, 2010, but the Office did not take note of these arguments and answer the substance of them in the Office Action of January 12, 2011, as required by MPEP 707.07(f).

Claim 4

It is submitted that Nonomura, Baldwin, and Kumar do not disclose or suggest the following feature now recited in dependent claim 4:

wherein the reproducing apparatus is configured to seamlessly reproduce the audio data when the user inputs the forward play command during the browsable slide show, and when the user inputs the reverse play command during the browsable slide show.

The Office considers paragraphs [154], [155], and [242] of Nonomura to disclose this feature. However, it is not seen where either these paragraphs of Nonomura or any other portion of Nonomura discusses seamless reproduction of audio data during forward play and reverse play. Nor has the Office explained why it considers paragraphs [154], [155], and [242] of Nonomura to disclose this feature of claim 4. Accordingly, it is submitted that the Office has not established a *prima facie* case of obviousness with respect to this feature of claim 4.

Claims 32 and 34

In explaining the rejection of independent claim 32, the Office states as follows on page 7 of the Office Action of January 12, 2011 (emphasis added):

As to **claim 32**, grounds for rejecting claim 1 apply to claim 34 in its entirety.

Thus, the Office has not actually provided a rejection of claim 32 in the Office Action of January 12, 2011, such that the Office has not established a *prima facie* case of obviousness with respect to claim 32.

Furthermore, it is submitted that Nonomura, Baldwin, and Kumar do not disclose or suggest the following features now recited in independent claim 32:

a video decoder configured to decode the video data based on a first system time clock; and

an audio decoder configured to decode the audio data based on a second system time clock that is independent of the first system time clock;

wherein the audio data is decoded independently of the video data to seamlessly reproduce the audio data during the browsable slide show when a forward play of the video data is selected, and when a reverse play of the video data is selected;

the second system time clock counter continuously increases even if the forward play is selected, and even if the reverse play is selected,

and the following features now recited in independent claim 34:

mainstream packet data that is decodable by a first decoder configured to decode the mainstream packet data using a first system time clock; and

sub-audio packet data that is decodable by a second decoder configured to decode the sub-audio packet data using a second system time clock, the second system time clock being independent of the first system time clock, the sub-audio packet data corresponding to the mainstream packet data;

wherein the sub-audio packet data is reproduced together with the mainstream packet data; and

the second system time clock counter continuously increases even if a forward play is selected, and even if a reverse play is selected,

for at least the same reasons discussed above that Nonomura, Baldwin, and Kumar do not disclose or suggest the similar features recited in claim 1.

Conclusion—Claim Rejections Under 35 USC 103

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-6, 32, and 34 (i.e., claims 1, 4, 32, and 34 discussed above and claims 2, 3, 5, and 6 depending directly or indirectly from claim 1) under 35 USC 103(a) as being unpatentable over Nonomura in view of Baldwin and Kumar be withdrawn.

Patentability of New Claims 35-40

It is submitted that Nonomura, Baldwin, and Kumar do not disclose or suggest the following feature of new dependent claim 35:

wherein the sub-audio system time clock counter continuously increases at a constant rate even if the user inputs the reverse play command, and even if the user inputs the forward play command,

or the following feature of new dependent claims 37 and 38:

wherein the second system time clock counter continuously increases at a constant rate even if the forward play is selected, and even if the reverse play is selected.

It is submitted that the above features are supported at least by FIGS. 10B and 13 of the present application.

Furthermore, it is submitted that Nonomura, Baldwin, and Kumar do not disclose or suggest the following feature of new dependent claim 36, at least in combination with the features recited in independent claim 1 from which new claim 36 depends:

wherein the system time clock sequence provided by the mainstream system time clock counter is initialized by a program clock reference (PCR) included in the mainstream packet data;
and

the system time clock sequence provided by the sub-audio system time clock counter is initialized by a program clock reference (PCR) included in the sub-audio packet data.

It is submitted that the above features are supported at least by paragraphs [0048] and [0052] of the present application.

Furthermore, it is submitted that Nonomura, Baldwin, and Kumar do not disclose or suggest the following feature of new dependent claim 39, at least in combination with the features recited in independent claim 34 from which new claim 39 depends:

wherein the forward play is a forward play of data included in the mainstream packet data, and the reverse play is a reverse play of the data included in the mainstream packet data.

Furthermore, it is submitted that Nonomura, Baldwin, and Kumar do not disclose or suggest the following combination of features recited in new independent claim 40:

40. A reproducing apparatus for reproducing data from an optical disc to provide a browsable slide show, the reproducing apparatus comprising:

a pickup configured to read, from the optical disc, mainstream packet data and sub-audio packet data corresponding to the mainstream packet data;

a mainstream arrival time clock counter configured to provide an arrival time clock sequence that is used for depacketizing the mainstream packet data;

a sub-audio arrival time clock counter configured to provide an arrival time clock sequence that is used for depacketizing the sub-audio packet data;

a mainstream depacketizer configured to depacketize the mainstream packet data using the arrival time clock sequence provided by the mainstream arrival time clock counter, and output the depacketized mainstream packet data;

a sub-audio depacketizer configured to depacketize the sub-audio packet data using the arrival time clock sequence provided by the sub-audio arrival time clock counter, and output the depacketized sub-audio packet data;

a mainstream decoder configured to decode the mainstream packet data in the depacketized mainstream packet data; and

a sub-audio decoder configured to decode the sub-audio packet data in the depacketized sub-audio packet data;

wherein the decoded sub-audio packet data is reproduced together with the decoded mainstream packet data.

It is submitted that new claim 40 is supported at least by FIG. 9 of the present application.

For at least the foregoing reasons, it is submitted that new claims 35-40 are patentable over Nonomura, Baldwin, and Kumar, and an indication to that effect is respectfully requested.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Office is requested to telephone the undersigned to attend to these matters.

Please charge any fees under 37 CFR 1.16 and 1.17 that may be required for this paper only to Deposit Account No. 50-5113 in the name of North Star Intellectual Property Law, PC. However, for the reasons discussed on pages 6 and 11 of this paper, no additional claim fee is required to add new claims 35-40, and for the reasons discussed on pages 12-14 of this paper, the fee of \$180.00 set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement is not required for the Information Disclosure Statement attached to this paper.

Respectfully submitted,

Date: May 12, 2011

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Attachments

Interview Summary	Application No.		Applicant(s)	
	10/937,502		JUNG ET AL.	
	Examiner		Art Unit	
	OLUWASEUN A. ADEGEYE		2621	

All participants (applicant, applicant's representative, PTO personnel):

(1) OLUWASEUN A. ADEGEYE. (3) Youngok Hyung.

(2) Kilsoo Jung. (4) Gregory Clinton.

Date of Interview: 10/21/2008.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☒ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: Claim 1.

Identification of prior art discussed: Nonomura et al and Foster.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner agreed to go over the prior art dicussed in light of the issues that were discussed during the interview.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.